

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CLIFTON KENT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:06CV01754 RWS (AGF)
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Currently before the Court is Defendant's unopposed motion to remand this Social Security disability case pursuant to sentence six of 42 U.S.C. § 405(g).¹ This action was referred to the undersigned United States Magistrate Judge under 28 U.S.C. § 636(b) for recommended disposition.

Following a hearing on Plaintiff's application for disability insurance benefits, an Administrative Law Judge ("ALJ") found that Plaintiff was not disabled. The decision of the ALJ became the final decision of the Commissioner of Social Security, and Plaintiff

¹ Sentence six provides as follows:

The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security, and it may at any time order additional evidence to be taken before the Commissioner of Social Security.

filed this action for judicial review of the adverse ruling. The Commissioner now states that parts of the administrative record could not be located, and he asks that the case be remanded so that the agency can attempt to prepare a complete administrative record, or reconstruct the record by, among other things, holding a new evidentiary hearing.

Plaintiff has not responded to the motion. The Court finds that the Commissioner has made a sufficient showing of good cause to remand this case.

Accordingly,

IT IS HEREBY RECOMMENDED that Defendant's motion to remand this case to the Commissioner for completion of the record be **GRANTED**. [Doc. #10]

The parties are advised they have eleven (11) days to file written objections to this Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), unless an extension of time for good cause is obtained.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 7th day of March, 2007.